

**REMARKS**

**Rejection Under 35 USC § 103**

Claims 1-7 and 9-11 have been rejected under 35 U.S.C. § 103 as being unpatentable over the Examiner's assertion of Millard et al. (US PGPub 2002/0007335). Applicant respectfully traverses the rejection.

With regard to the Examiner's rejection of claim 1 and claims depending therefrom, the Examiner asserts obviousness over Millard et al. (US PGPub 2002/0007335). Applicant respectfully disagrees. The Examiner asserts Millard [0129] and [0218] teach receiving data relating to restrictions associated with the trade of a security. Applicant respectfully disagrees. Millard [0129] and [0218] discuss restriction of access to a trading system, and in no way address restrictions on a security trade. The Examiner's citation from Millard [0129] addresses users gaining "access to a specialized portion of the Trading System for the exclusive use of PACs [Pre Approved Counter-parties]" and does not in any way refer to accessing data relating to restrictions associated with the trade of a security. Furthermore, were it even possible to somehow implement Millard's proposal and obtain the "special designation of a 'Pre-Approved Counter-party'", this special membership designation would not provide access to data relating to a restriction associated with the trade of security as the [0218] and [0129] PAC designation citations pertain to accessing an entire trading system. These trading system access designations [0129] and [0218] cannot interact and/or pertain with/to actual trades of securities. As such, a combination including Millard's system-wide access designations would not result in the claimed invention. Therefore, the Examiner's assertion that Millard teaches receiving data relating to restriction associated with the trade of a security is incorrect, and the citation does not satisfy the claimed elements.

As noted by the Examiner, "Millard fails to reach that the generated documents include at least a legal opinion". The Examiner asserts "this limitation does not impart any functionality to the process of claim 1. Therefore this limitation is treated as nonfunctional descriptive material and analyzed as such". The Applicant respectfully traverses this assertion. In certain embodiments of the claimed invention, generation of documentation of a legal opinion related to the type of restricted securities trading at issue is not a simple problem to solve and adds substantial utility. In certain embodiments of the claimed invention, by so providing such legal opinions, those engaged in the trade are able to reduce uncertainties.

In order to facilitate clear communication, the Applicant would like to inform the Examiner that, with regard to Millard, there appears to be a discrepancy between the paragraph numbering of the HTML version (<http://appft1.uspto.gov/...>) and the published/PDF version (<http://aiw1.uspto.gov/...>). For example, in the HTML version, [0218] begins "Records of previous postings", while in the published/PDF version, [0218] begins "After the details of the offer". For ease of communication, the Applicant requests the Examiner specify the appropriate version of Millard when cited in future correspondence.

Consequently, the reference(s) cited by the office action do not result in the claimed invention, there was/is no motivation for such a combination of references (i.e., cited references do not teach, read on, suggest, or result in the claimed invention(s)), and the claimed inventions are not admitted to be prior art. Thus, the Applicant respectfully submits that the supporting remarks and claimed inventions, claims 1-7 and 9-11, all: overcome all rejections and/or objections as noted in the office action, are patentable over and discriminated from the cited reference(s), and are in a condition for allowance. Furthermore, Applicant believes that the above remarks, which distinguish the claims over the cited reference(s), pertained only to noted

claim element portions. These remarks are believed to be sufficient to overcome the prior art. While many other claim elements were not discussed, Applicant asserts that all such remaining and not discussed claim elements, all, also are distinguished over the prior art and reserves the opportunity to more particularly remark and distinguish such remaining claim elements at a later time should it become necessary. Further, any remarks that were made in response to an Examiner objection and/or rejection as to any one claim element, and which may have been re-asserted as applying to another Examiner objection and/or rejection as to any other claim element(s), any such re-assertion of remarks is not meant to imply that there is commonality about the structure, functionality, means, operation, and/or scope of any of the claim elements, and no such commonality is admitted as a consequence of any such re-assertion of remarks. As such, Applicant does not concede that any claim elements have been anticipated and/or rendered obvious by any of the cited reference(s). Accordingly, Applicant respectfully requests allowance, and the reconsideration and withdrawal of the rejection(s) and/or objection(s).

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

#### **AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 03-1240, Order No. 17209-005.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is

hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 17209-005

Respectfully submitted,  
CHADBOURNE & PARKE, L.L.P.

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